

recommended and suggested. Further misbranding, Section 502 (a), the statement, "Ingredients: Phenothiazine * * * Male Fern * * * Worm Seed," and the statement, "(Contains Phenothiazine)," appearing in an accompanying leaflet, were misleading in that they represented and implied that the article contained sufficient phenothiazine to be of value, when used as directed, in the cure, mitigation, treatment, and prevention of common worms in livestock and poultry; and that the ingredients male fern and wormseed would be efficacious for such purposes. The article did not contain sufficient phenothiazine to be of value for the purposes claimed, when used as directed; and the male fern and wormseed would not be efficacious for such purposes. Further misbranding, Section 502 (a), the name of the article, "Worm Seed R No. 89," created the misleading impression that the article would be efficacious in the cure, mitigation, treatment, and prevention of worms in livestock and poultry.

Warm Seed R For Goats and Kids. Misbranding, Section 502 (a), the label statements, "Give a matured goat a teaspoonful of this powder morning and evening in feed for ten days as that is a worming. Give smaller dose to kids over 4 months old. This powder can be given to pregnant Does at any period of gestation. Mix the contents of this box with ten pounds of common salt. Let goats and kids have free access to it daily," were false and misleading in that they represented and implied that the article would be efficacious in the cure, mitigation, treatment, and prevention of worms in goats and kids. The article would not be efficacious for such purposes. Further misbranding, Section 502 (a), the label statement, "Ingredients: Phenothiazine Worm Seed Male Fern Tobacco," was misleading in that it represented and implied that the article contained phenothiazine and nicotine, the active ingredient of tobacco, in amounts sufficient to be efficacious in the cure, mitigation, treatment, and prevention of worms in goats and kids; and that wormseed and male fern would be effective for such purposes. The article did not contain a sufficient amount of phenothiazine and nicotine to accomplish the result suggested and implied; and wormseed and male fern would not be efficacious for such purposes. Further misbranding, Section 502 (a), the name "Worm Seed R" created the misleading impression that the article would be efficacious in the cure, mitigation, treatment, and prevention of worms in goats and kids.

Goat Kidding R. Misbranding, Section 502 (a), the following statements on the label were false and misleading: "Goat Kidding R * * * The kidding period is a critical time in the life of the goat. The animal therefore requires special care and attention at that time. * * * Give a teaspoonful of Goat Kidding R in feed twice daily for one week before the goats kid and for a few days after kidding. If a goat fails to clean within two hours after kidding, give one teaspoonful of Goat Kidding R three times a day in feed." The statements represented, suggested, and implied that the article would be of value in the treatment of goats during the critical time of kidding; and that it would be efficacious in cleaning goats after kidding. It would not be of value for such purposes. Further misbranding, Section 502 (e), the label failed to bear a statement of the quantity or proportion of strychnine contained in the article.

DISPOSITION: January 18, 1946. Pleas of nolo contendere having been entered on behalf of the defendants, the court sentenced the corporate defendant to pay a fine of \$1,500 and each of the individual defendants to pay fines of \$250.

1890. Misbranding of Stock-Gro. U. S. v. 2 Barrels and 22 Cans of Stock-Gro, and 26 Circulars. Default decree of forfeiture and destruction. (F. D. C. No. 17336. Sample No. 13468-H.)

LIBEL FILED: September 7, 1945, Southern District of Indiana.

ALLEGED SHIPMENT: On or about August 1, 1945, by Stock-Gro, Inc., from Wapakoneta, Ohio.

PRODUCT: 2 500-pound barrels and 22 50-pound cans of *Stock-Gro* at Batesville, Ind., together with 20 circulars entitled "Stock-Gro promotes Health! Liveability! Reproduction! in Hogs" and 6 circulars entitled "What's in a Barrel of Stock-Gro?"

Examination showed that the product was an artificially colored, condensed by-product of milk.

LABEL, IN PART: "Stock-Gro * * * Ingredients: Condensed Whey."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article and in the circulars were false and misleading since they

represented and suggested that the article was a digestant and would be effective to insure growth, health, and productivity in poultry and hogs; that it would be effective to prevent and correct necrotic enteritis, dysentery, typhoid, and other diseases caused by pathogenic organisms in hogs; that it would aid effectively in the prevention and control of diseases in livestock and poultry; and that it would be effective to prevent and correct worm infestation, coccidiosis, blackhead, and other unhealthy conditions in poultry. The article was not a digestant, and it would not be effective for the purposes represented.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: October 15, 1945. No claimant having appeared, judgment of forfeiture was entered and the product and circulars were ordered destroyed.

1891. Misbranding of The Ball Solution. U. S. v. 6 Bottles of The Ball Solution, and 6 Pamphlets. Default decree of condemnation and destruction. (F. D. C. No. 19227. Sample No. 15002-H.)

LIBEL FILED: March 12, 1946, Northern District of Illinois.

ALLEGED SHIPMENT: On or about December 15, 1945, by the Timball Liniment Co., from Detroit, Mich.

PRODUCT: 6 1-pint bottles of *The Ball Solution* at Chicago, Ill., together with 6 pamphlets entitled "Facts The Ball Solution * * * A Positive Solution to the Bad Leg Problem," which were shipped with the product. Examination showed that the product consisted essentially of alcohol 57.1 percent, water, iodine, and potassium iodide, with a small proportion of methyl salicylate.

LABEL, IN PART: "The Ball Solution * * * A Bone and Muscle Remedy."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article and in the pamphlets were false and misleading since they represented and suggested that the article would be effective as a remedy for disease conditions of horses involving the bones and muscles; that it would be effective to relieve fever, pain, swelling, and lameness; and that it would be effective in the treatment of bucked shin, big knee, sprains, sore tendons, speedy cuts, osslets, curbs, splints, and ring-bone. The article would not be effective for such purposes.

Further misbranding, Section 502 (e), the article was fabricated from two or more ingredients, and its label failed to bear an accurate declaration of the quantity or proportion of the alcohol contained therein.

DISPOSITION: May 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1892. Misbranding of Knox-It and Flex-O Udder Ointment. U. S. v. 52 cans of Knox-It and 6 cans of Flex-O Udder Ointment. Default decree of condemnation and destruction. (F. D. C. No. 20215. Sample Nos. 35473-H, 35474-H.)

LIBEL FILED: June 5, 1946, Southern District of Illinois.

ALLEGED SHIPMENT: On or about February 21, 1946, by the Dairy Remedies Co., from Monroe, Wis.

PRODUCT: 52 cans of *Knox-It* and 6 cans of *Flex-O Udder Ointment* at Quincy, Ill. Analyses showed that the *Knox-It* was a tan-colored powder composed chiefly of plant material, iodoform, sulfur, copper salt, calcium salt, and hexamethylenetetramine; and that the *udder ointment* was a red-colored ointment composed chiefly of petrolatum, oil of mustard, oil of turpentine, and methyl salicylate.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the labels of the articles and upon an accompanying display card were false and misleading since they represented and suggested that the articles would be effective in the treatment and prevention of mastitis of cattle, thick milk, bloody milk, garget, and minor disturbances of the mammary system; and that they would be effective for healthy milk secretion and flow of blood to the udder. The articles would not be effective for those purposes.

DISPOSITION: July 12, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.